

Pacific  
Tomato  
Growers



April 8, 2003

Country Of Origin Labeling Program  
Agricultural Marketing Service, USDA  
STOP 0249, Room 2092-S  
1400 Independence Avenue, SW  
Washington, DC 20250-0249

Re: Country Of Origin Labeling (COOL) For Fresh Produce

**VIA FAX (202-720-3499) / UPS-RED**

The purpose of this letter is to comment on the implementation of COOL for fresh produce. In particular, it will address issues surrounding the proposals for implementation, as well as industry views on the subject.

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With respect to protocol, it is important that implementation of COOL for fresh produce be independent from COOL for meat products for example. Trying to establish a protocol which is identical for both, clearly avoids efficiency and embraces bureaucracy. It has been said and should be said again -- the Florida model for fresh produce works, is efficient, is inexpensive and gives the American consumer exactly what they want. Stated another way, if, after good-faith efforts, the protocol for meat products requires an overburdensome system, it should be re-evaluated separate and apart from fresh produce, which already has a very successful large-scale working model.

The Florida model places a minimal burden of cost and effort on the retailer by allowing flexibility on COOL presentation. Individually labeled produce requires no further action by the retailer. Bulk fruit may also be labeled in a variety of ways: displayed in a labeled carton or container, or labeled with simple shelf tags, for example. Receivers would need to rely on shippers to either label the individual produce item, the shipping container or to provide an adequate source identifier on the invoice. This would accommodate any conceivable possibility, including products which may have mixed countries of origin. Further, and most importantly, there would be no additional record keeping requirement beyond that which is already required by PACA. More extensive requirements exceed the scope of the legislation.

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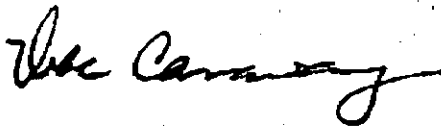
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We would respectfully but urgently ask that your efforts be driven by what American consumers have repeatedly asked for -- that their fresh produce be accompanied by COOL, just like their shirts and stereos. To create a burdensome protocol, or to consider repeal of COOL, would be contrary to consumer (i.e. voter) mandate, as expressed through their elected representatives. The protestations of the retail food industry on fresh produce labeling are inconsistent with the facts, and seek to create a fog of fear, uncertainty and doubt. They are, in effect, saying they know better what consumers want than consumers themselves.

Finally, we strongly urge you to ignore the position of the Produce Marketing Association (PMA) insofar as it calls for repeal of COOL and in which it states that PMA speaks for all of the fresh produce industry. Let us be perfectly clear -- PMA does not speak for Pacific Tomato Growers, Ltd. on this matter, did not adequately consult with its membership on development of this policy statement, and I would venture to say, is at complete odds with virtually every fresh produce operation in the State of Florida

Thank you for this opportunity and we look forward to the upcoming COOL listening session in Orlando.

Sincerely,  
PACIFIC TOMATO GROWERS, LTD.



Mac Carraway, CFO

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